



April 30, 2019

Abby Brzezinski
A-Squared Development LLC
N16W23217 Stone Ridge Dr.
Waukesha, WI 53188

SUBJECT: ENCROACHMENT OF LANDSCAPING IN EASEMENT
Clearwater Apartments, 2930 Clearwater Lane (Lot 1 CSM 11254)

Dear Ms. Brzezinski:

Your request to install landscaping within an existing utility easement (attached) on the above property has been reviewed.

Wisconsin Electric Power Company, a Wisconsin corporation, doing business as We Energies, has no objection to the construction of the fence as long as the following conditions are met:

1. Digger's Hotline must be called a minimum of 3 working days prior to the onset of any digging. They will mark cables in the area of the construction. Their number is 1-800-242-851 or you may dial 811.
2. Plantings are recommended to be 2 feet away from any marked underground cables whether they are on your property or on an adjoining property.
3. Landscaping plant must be 3 feet away from any pedestal whether it is on your property or on an adjoining property (pedestals are smaller and rectangular in shape).
4. Landscaping plants must be 10 feet away from the **door** side of any pad-mounted transformer and 3 feet away from the other sides whether the pad-mounted transformer is on your property or on an adjoining property (transformers are larger and square in shape, the door is the side with the padlock on it).

Finally, please be aware that Wisconsin Electric Power Company must have access to its facilities for routine and emergency maintenance, repairs and replacement. Should the associated landscaping be planted in such a way to make access difficult or impossible, a portion of the landscaping may be removed to provide adequate access to our facilities. Wisconsin Electric Power Company will not be liable for replacement of the landscaping nor any damages.

Please call me at the number below if you have any further questions or concerns.

Sincerely,

A handwritten signature in red ink, appearing to read 'Jeff Fowle'.

Jeff Fowle
Right of Way Agent
Phone: 414-651-4459

CC: Doug Koehler, City of Waukesha (via email)
Adam Almquist (via email)

236959

DISTRIBUTION EASEMENT
UNDERGROUND ELECTRIC AND
COMMUNICATIONS

Document Number

WR NO. 3746046 IO NO. 5463

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CLEARWATER APARTMENTS, LLC**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies, TIME WARNER CABLE MIDWEST LLC, a Delaware limited liability company and WISCONSIN BELL, INC. doing business as AT&T Wisconsin, a Wisconsin corporation**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as strips of land 12 feet in width of Grantor's premises described as **Lot 1 and Outlot 1 of Certified Survey Map 11254**, recorded in the office of the register of Deeds for Waukesha, County on December 2nd, 2014, in Volume 111 of Certified Survey Maps, on Pages 61 through 66, inclusive as **Document No. 4112816**, being a part of the Northwest 1/4 of the Southwest 1/4 of Section 20, Township 6 North, Range 19 East, in the City of Waukesha, County of Waukesha, State of Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

- Purpose:** The purpose of this easement is to install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
- Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
- Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
- Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
- Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to the initial installation of said facilities or any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
- Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
- Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

4156563

REGISTER OF DEEDS
WAUKESHA COUNTY, WI
RECORDED ON

July 27, 2015 10:58 AM
James R Behrend
Register of Deeds

3 PGS
TOTAL FEE: \$30.00
TRANS FEE: \$0.00

Book Page -



RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM A252
PO BOX 2046
MILWAUKEE, WI 53201-2046

WAKC 1375-128 &
WAKC 1375-124-002
(Parcel Identification Number)

03013

Grantor: CLEARWATER APARTMENTS, LLC

By: *Abigail Brzezinski*

ABIGAIL BRZEZINSKI / MEMBER

Acknowledged before me in Waukesha County, Wisconsin, on February 17, 2015,
by ABIGAIL BRZEZINSKI MEMBER of CLEARWATER APARTMENTS, LLC, in its name and on its behalf.

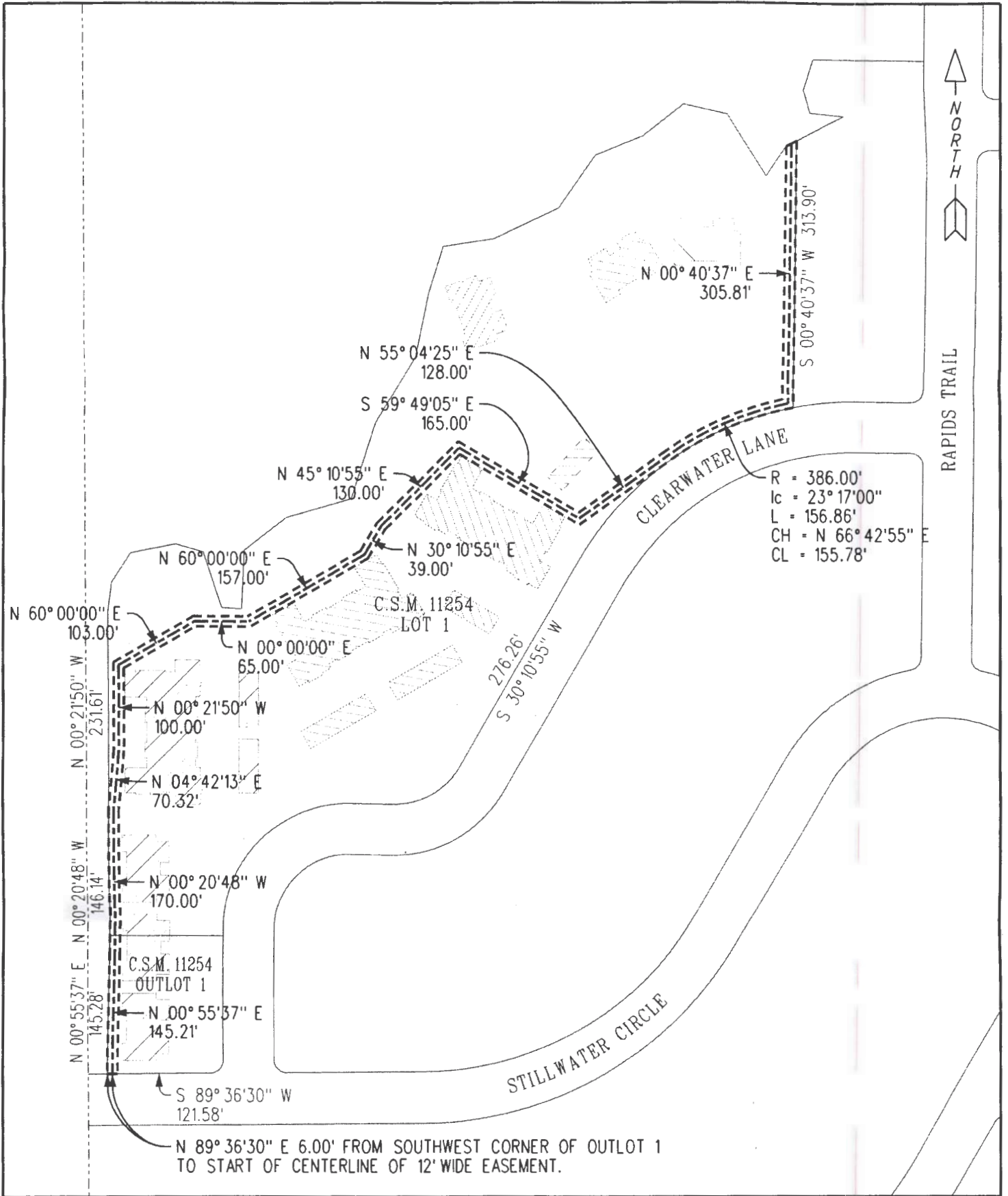
Kathleen D. O'Lochlayne
Notary Public Signature, State of Wisconsin

Kathleen D. O'Lochlayne
Notary Public Name (Typed or Printed)

My commission expires 2-23-18



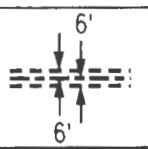
This instrument was drafted by Alex Vojvodich on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

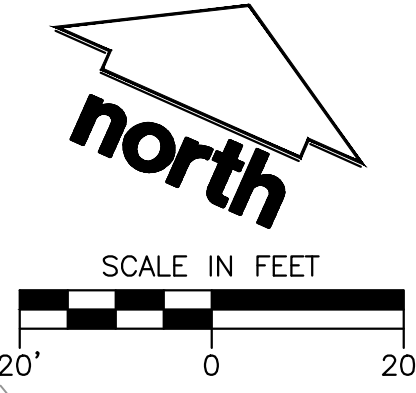
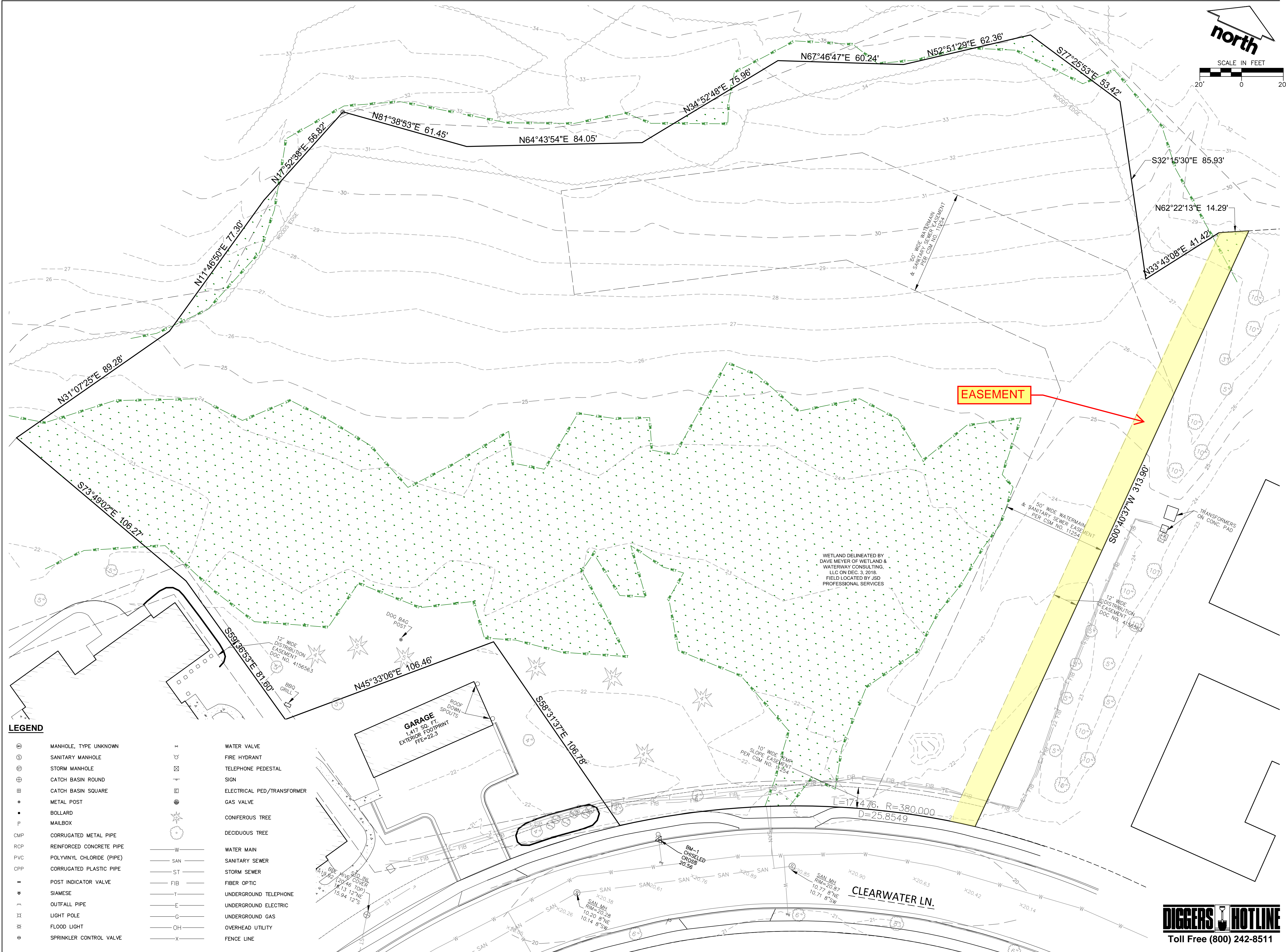


RAPIDS TRAIL

$R = 386.00'$
 $Ic = 23^{\circ}17'00''$
 $L = 156.86'$
 $CH = N 66^{\circ}42'55'' E$
 $CL = 155.78'$

N 89° 36' 30" E 6.00' FROM SOUTHWEST CORNER OF OUTLOT 1 TO START OF CENTERLINE OF 12' WIDE EASEMENT.

<p>KEY</p>	<p>WE ENERGIES - EXHIBIT "A"</p>	<p>DRAWN BY: JIM CLARKE</p>
 <p>CENTERLINE 12' WIDE EASEMENT</p>	<p>12' WIDE EASEMENT IN PART OF THE SW 1/4 OF SECTION 20, T6N R19E CITY OF WAUKESHA, WAUKESHA COUNTY, WISCONSIN</p>	<p>SCALE: 1" = 150' DATE: 02-27-2015 ORDER #: 3746046</p>



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MADISON | MILWAUKEE
KENOSHA | APPLETON | WAUSAU

MILWAUKEE REGIONAL OFFICE
W238N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666

CLIENT:
**PURE ARCHITECTURE
STUDIO, LLC**

CLIENT ADDRESS:
**735 N. WATER STREET, SUITE 1228
MILWAUKEE, WI 53202**

PROJECT:
**CLEARWATER
APARTMENT PHASE 2**

PROJECT LOCATION:
**CITY OF WAUKESHA
WAUKESHA COUNTY, WISCONSIN**

PLAN MODIFICATIONS:

#	Date:	Description:
1	03/22/19	Municipal Review
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Design/Drawn: APM
Approved: RWI

SHEET TITLE:
EXISTING CONDITIONS

**NOT FOR
CONSTRUCTION**

SHEET NUMBER:
CO.0



File: R:\2019\18-8890 Clearwater Apartments\DWG\18-8890 CO.0 - Existing Conditions.dwg Layout: CO.0 User: pmantaras Plotdate: Mar 22, 2019, 2:38pm Xref's:

LEGEND

⊙	MANHOLE, TYPE UNKNOWN	⊙	WATER VALVE
⊙	SANITARY MANHOLE	⊙	FIRE HYDRANT
⊙	STORM MANHOLE	⊙	TELEPHONE PEDESTAL
⊙	CATCH BASIN ROUND	⊙	SIGN
⊙	CATCH BASIN SQUARE	⊙	ELECTRICAL PED/TRANSFORMER
⊙	METAL POST	⊙	GAS VALVE
⊙	BOLLARD	⊙	CONIFEROUS TREE
⊙	MAILBOX	⊙	DECIDUOUS TREE
CMP	CORRUGATED METAL PIPE	— W —	WATER MAIN
RCP	REINFORCED CONCRETE PIPE	— SAN —	SANITARY SEWER
PVC	POLYVINYL CHLORIDE (PIPE)	— ST —	STORM SEWER
CPP	CORRUGATED PLASTIC PIPE	— FIB —	FIBER OPTIC
⊙	POST INDICATOR VALVE	— T —	UNDERGROUND TELEPHONE
⊙	SIAMESE	— E —	UNDERGROUND ELECTRIC
⊙	OUTFALL PIPE	— G —	UNDERGROUND GAS
⊙	LIGHT POLE	— OH —	OVERHEAD UTILITY
⊙	FLOOD LIGHT	— X —	FENCE LINE
⊙	SPRINKLER CONTROL VALVE		

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF JSD PROFESSIONAL SERVICES, INC.

PLAN MODIFICATIONS:

#	Date:	Description:
1	03/22/19	Municipal Review
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Design/Drawn:
Approved:

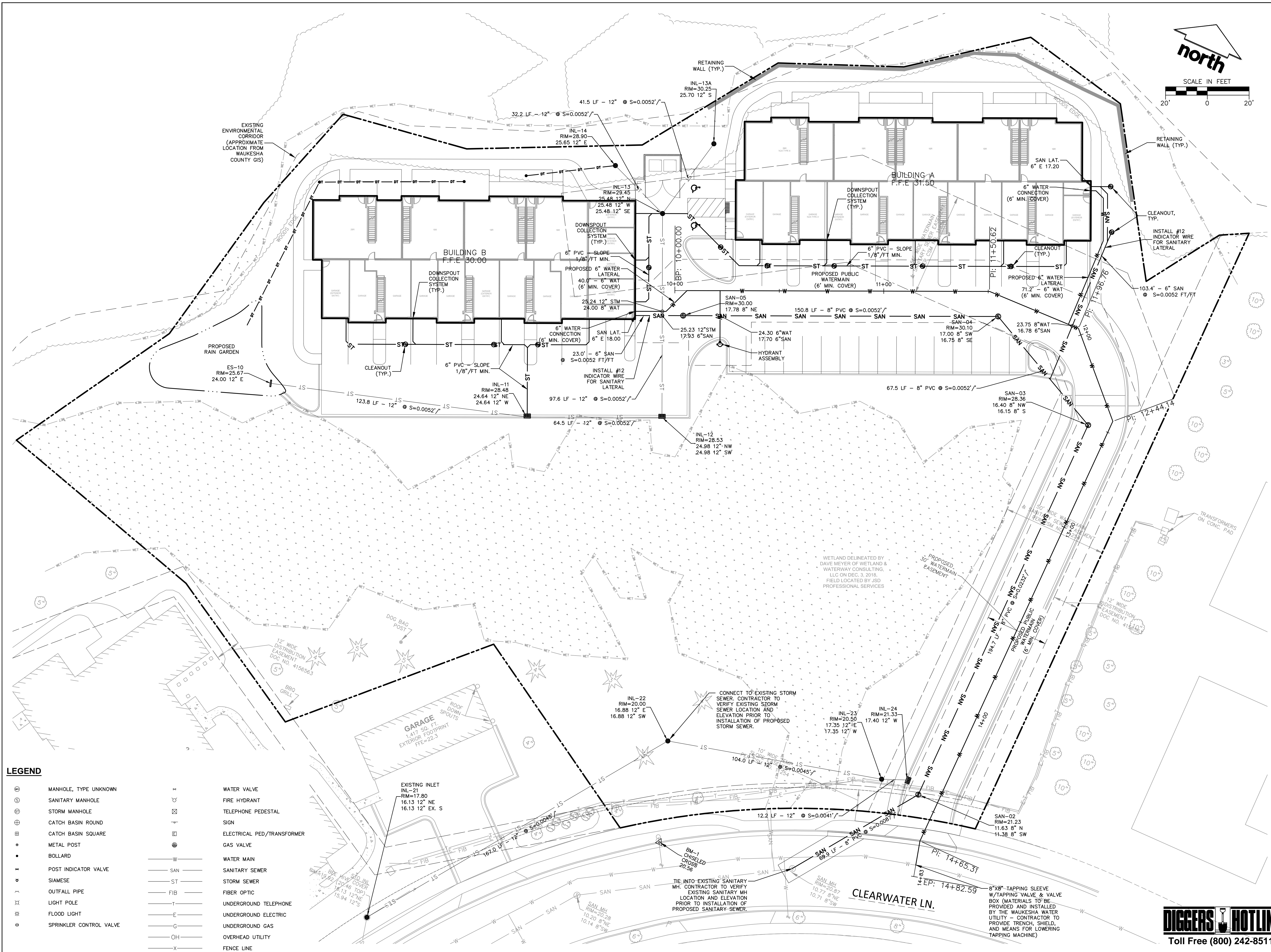
SHEET TITLE:
UTILITY PLAN

**NOT FOR
CONSTRUCTION**

SHEET NUMBER:

C4.0





DIGGERS HOTLINE
Toll Free (800) 242-8511



LEGEND

⊕	MANHOLE, TYPE UNKNOWN	⊕	WATER VALVE
⊙	SANITARY MANHOLE	⊕	FIRE HYDRANT
⊕	STORM MANHOLE	⊕	TELEPHONE PEDESTAL
⊕	CATCH BASIN ROUND	⊕	SIGN
⊕	CATCH BASIN SQUARE	⊕	ELECTRICAL PED/TRANSFORMER
⊕	METAL POST	⊕	GAS VALVE
⊕	BOLLARD	— W —	WATER MAIN
⊕	POST INDICATOR VALVE	— SAN —	SANITARY SEWER
⊕	SIAMASE	— ST —	STORM SEWER
⊕	OUTFALL PIPE	— FIB —	FIBER OPTIC
⊕	LIGHT POLE	— T —	UNDERGROUND TELEPHONE
⊕	FLOOD LIGHT	— E —	UNDERGROUND ELECTRIC
⊕	SPRINKLER CONTROL VALVE	— G —	UNDERGROUND GAS
		— OH —	OVERHEAD UTILITY
		— X —	FENCE LINE

CONCEPT LANDSCAPE LEGEND

-  TALL/MEDIUM DECIDUOUS TREES
-  TALL EVERGREEN TREES
-  ORNAMENTAL TREES
-  DECIDUOUS/EVERGREEN SHRUBS

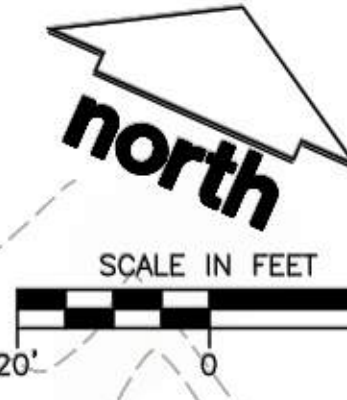
FOUNDATION PLANTINGS, TYP.
(SHRUBS AND PERENNIALS)

ORNAMENTAL TREES

FOUNDATION PLANTINGS, TYP.
(SHRUBS AND PERENNIALS)

ORNAMENTAL TREES

RETAINING WALL



RAIN GARDEN
(STORM RUN-OFF)

ORNAMENTAL TREES

PROPOSED BUILDING

TRASH ENCLOSURE

PROPOSED BUILDING

TOTAL SURFACE PARKING - 39 STALLS

PARKING LOT ISLAND LANDSCAPE, TYP.
(MEDIUM DECIDUOUS TREES, SHRUBS, AND PERENNIALS)

WETLAND LANDSCAPE BUFFER
(DECIDUOUS TREES, SHRUBS, AND PERENNIALS)

EXISTING WETLAND





















EXISTING EVERGREEN TREES
(TO REMAIN)

EASEMENT

LANDSCAPE BUFFER PLANTINGS

DECIDUOUS TREES
(ACCESS DRIVE)

LEGEND

- | | | | |
|---|-------------------------|---|----------------------------|
|  | MANHOLE, TYPE UNKNOWN |  | WATER VALVE |
|  | SANITARY MANHOLE |  | FIRE HYDRANT |
|  | STORM MANHOLE |  | TELEPHONE PEDESTAL |
|  | CATCH BASIN ROUND |  | SIGN |
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|  | MAILBOX | | |
|  | POST INDICATOR VALVE | | |
|  | SIAMESE | | |
|  | OUTFALL PIPE | | |
|  | LIGHT POLE | | |
|  | FLOOD LIGHT | | |
|  | SPRINKLER CONTROL VALVE | | |



CLEARWATER LN.



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KENOSHA | APPLETON | WAUSAU

MILWAUKEE REGIONAL OFFICE
W238N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
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APARTMENT PHASE 2

PROJECT LOCATION:
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Design/Drawn: XXX
Approved: RWI

SHEET TITLE:
**CONCEPTUAL
LANDSCAPE PLAN**

**NOT FOR
CONSTRUCTION**

SHEET NUMBER:
L1.0

JSD PROJECT NO: 18-8890

File: JSD-MIL-DC2222ViewProject\3201818-8890 Clearwater Apartments\DWG\18-8890 L1.0 - Landscape Plan.dwg Layout: Linework User: Iguain Plotfile: Mar 25, 2019 - 6:16am Xref's: 18-8890 Clearwater Apartments

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